

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EDWARD R. L. ALEXANDER,

Plaintiff,

v.

Civ. No.9:02-CV-1544
(FJS/RFT)

C.O. CAGNE, Corr. Officer, Upstate
Corr. Facility; SGT. FLETCHER,
Corr. Sergeant, Upstate Corr. Facility;
JOHN DOE #1, Upstate Corr. Facility;
A. BAKER, Upstate Corr. Facility;
T.L. RICKS, Supt. of Upstate Corr.
Facility; BENUARE, Corr. Officer,

Defendants.

APPEARANCES:

OF COUNSEL:

EDWARD R. L. ALEXANDER
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PLAINTIFF, Pro Se
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LISA ULLMAN, ESQ.
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FREDERICK J. SCULLIN, JR., C.D.J.:

DECISION AND ORDER

The above-captioned matter having been presented to me by
the Report-Recommendation of Magistrate Judge Randolph F. Treece

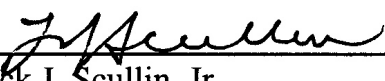
filed August 25, 2005, and the Court having reviewed the Report-Recommendation and the entire file in this matter; and no objections to said Report-Recommendation having been filed, it is hereby

ORDERED, that the Report-Recommendation filed by Magistrate Judge Randolph F. Treece on August 25, 2005 is, for the reasons stated therein, **ACCEPTED** in its entirety; and it is further

ORDERED, that Defendant Ricks' Motion for Summary Judgment is **GRANTED** and that he is **DISMISSED** as a Defendant in this action.

IT IS SO ORDERED.

DATED: September 20, 2005
Syracuse, New York



Frederick J. Scullin, Jr.
Chief United States District Court Judge